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STATUTORY INSTRUMENTS

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**2011 No. 881**

**The Animal By-Products (Enforcement)  
(England) Regulations 2011**

**PART 5**

**Enforcement**

**Enforcement authority**

**21.**—(1) These Regulations are enforced by—

- (a) the local authority;
- (b) the port health authority in relation to—
  - (i) the London port health district (within the meaning given by section 7(1) of the Public Health (Control of Disease) Act 1984<sup>(1)</sup>), or
  - (ii) a port health district constituted by order under section 2(3) of that Act; or
- (c) the Secretary of State in relation to a food hygiene establishment.

(2) Paragraph (1)(a) and (b) does not apply where the Secretary of State directs that the enforcement duty is to be exercised in relation to cases of a particular description or any particular case by the Secretary of State.

(3) In paragraph (1)(a) “local authority” means—

- (a) where there is a unitary authority, within the meaning of the Local Government Changes for England Regulations 1994<sup>(2)</sup>, that authority;
- (b) where there is not a unitary authority—
  - (i) in a metropolitan district, the council of that district;
  - (ii) in a non-metropolitan county, the council of that county or the council of a district within the county area;
  - (iii) in each London borough, the council of that borough;
- (c) in the City of London, the Common Council; or
- (d) the Council of the Isles of Scilly.

(4) In paragraph (1)(b) “port health authority” means—

- (i) in relation to the London port health district, the Common Council of the City of London; or
- (ii) in relation to any other port health district, the port health authority for that district.

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(1) 1984 c. 22.

(2) S. I. 1994/867, to which there are amendments not relevant to these Regulations.

(5) In paragraph (1)(c), “food hygiene establishment” means an establishment referred to in regulation 5(2) of the Food Hygiene (England) Regulations 2006(3) in respect of which the Food Standards Agency has enforcement functions under those Regulations.

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(3) [S.I. 2006/14](#), to which there are amendments not relevant to these Regulations.